REMARKS

Claims 1 and 11 have been amended. New claims 24 and 25 have been added. No new matter has been added. Claim 1-15 and 24-25 are currently pending in the present application. The Applicants respectfully request reconsideration of the rejections set forth in the present Office Action dated August 3, 2007 in view of the preceding amendments and the following remarks.

Claims 1-5 and 9 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,408,128 B1 issued to Abecassis (hereinafter "Abecassis"), which describes "capabilities and environments that **automatically** customize the playing of videos to satisfy the particular video requirement of each of a plurality of viewers, and that deliver to each viewer a more enjoyable video experience without requiring the level of active participation inherent in interactive systems, the use of personal computers, and/or by primitive consumer electronic products. (Abecassis column 1 lines 46-53)."

Claim 11 was rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis in view of U.S. Patent No. 6,236,744 issued to Some et al. (hereinafter "Some"). Claims 6, 8 and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis in view of U.S. App. Publication No. 2002/0,018,136 by Kaji et al (hereinafter "Kaji"). Claims 14 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis in view of Some and further in view of Kaji. Claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis in view of U.S. Patent No. 6,141,484 issued to Nagasawa (hereinafter "Nagasawa"). Claims 12 and 13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis in view of Some and further in view of Nagasawa.

These rejections are respectfully traversed. Firstly, it is respectfully submitted that no reasonable combination of the art of record teaches or suggests all of the limitations recited in claim 1. More particularly, it is respectfully submitted that neither Abecassis nor any combination of Abecassis with any of the art of record teaches or suggests **storing a file** on a DVD separate from the original data stored on the DVD that includes at least one video frame manipulated **by a user** that is displayed in place of an associated original video frame during playback of the DVD. Additionally, claim 1 has been amended to specifically require that the one or more interest points in the associated video frame are manipulated "**in response to the user** by generating a set of **op-code instructions** that are used to **permanently modify** original video data corresponding to the one or more interest points in the associated video frame."

Support for this amendment can be found on pages 16-22 of U.S. Patent Application Serial Number 10/040,741 describing op-code instructions for creating video presentations, and which is incorporated by reference in the present application.

As recited on page 4 of the present Office Action, "Abecassis fails to teach storing a file on the digital video disc (DVD)." However, the Examiner then asserts that "Another embodiment of Abecassis teach storing a file on the digital video disc (DVD)...(e.g. column 60, lines 18-31, wherein the target has an identification number stored in the video map of the DVD, wherein column 23, lines 15-22 of Abecassis specifies that the video map of the DVD is an navigation data, and it is inherent that storing the file in the video map will not altered the original video frame because well known data structure of the DVD has the Navigation data, video data and audio data are in separated packets). It would have been obvious to one ordinary skill in the art at the time of the invention was made to use the storing method disclosed in 'another embodiment' to store the 'repositioning data' and the manipulated video frame of the first embodiment in the navigation data to simplify the DVD data management in the reproduction procedure since all the data can be 'navigated' using the navigation pack."

It appears that the Examiner is using hindsight reconstruction with the Applicant's own disclosure as a blueprint to reconstruct the present claims using a plurality of piecemeal disclosures from Abecassis. Nevertheless, it is respectfully submitted that the Examiner's reconstruction of Abecassis fails to teach or suggest the combination of limitations recited in claim 1. It is respectfully submitted that the automatic method of Abecassis is clearly designed such that viewer involvement in creating a customized video presentation is significantly reduced. At the same time, the editing options available to the viewer are substantially limited.

First, there is no motivation to assemble the separate disclosures of Abecassis to reconstruct the invention recited in claim 1. Cited column 60, lines 18-31 are directly to the production of a "video map" by the video's producer/editor for subsequent use by a viewer of the video to alter the presentation of the video. The cited section is reproduced below,

The software program may depend on a variety of methods of identifying, recognizing, or separating the targeted object with respect to the available image. A first method relies on the producer of the video to identify likely targets of magnification. In such a method, each of the race automobiles is pre-identified and the required data is included as part of the video map or data associated with the video. Assisted by software a video editor will essentially have to create the information necessary to be able to maintain the target within the viewer defined window. To target a race automobile, a viewer will enter the

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corresponding identification number. Magnification suitable for each target can also be preset by the video producer.

Additionally, cited column 23, lines 15-22 recite,

> It should be appreciated that in the production of a variable content video, the task of the editor is to create a videobase of logically organized video segments. The logical organization being the video map. Thus, in a variable content video editing system, conventional editing software is enhanced to facilitate the creation of the video map, which in the case of a DVD is known as navigation data.

As disclosed, the user/viewer has limited options when viewing the video with the aid of the video map because the viewer is only able to modify the presentation based on pre-identified and preset targets identified by the producer/editor of the video and incorporated into the "video map" included within the DVD, prior to sale to a viewer in contrast to the user provided changes. Additionally, the viewer is not able to create the video map or otherwise alter the video map provided by the producer/editor of the video. In other words, according to Abecassis, the viewer simply chooses his preferences from a video preferences list already available on a variable content video, which includes video content categories, and the system automatically chooses video segments from the variable content video to match the viewer's preferences. Thus, the viewer's viewing options are limited by the video map produced and provided by the editor of the variable content video and not as provided by the user as required by the invention. More particularly, only the video frames or segments of video frames chosen by the editor and stored in the video map may be used to manipulate the presentation of the video.

In stark contrast, claim 1 recites "a method for enabling a user to create a customized video presentation from one or more preexisting digital video titles on a DVD" whereby "the video frame selected can be any video frame from the one or more preexisting digital video titles" and subsequently manipulated around user-selected interest points. When one of the preexisting digital video titles is played on a DVD player, the DVD player decompresses a video bitstream from the digital video title and causes a display coupled to the DVD player to display the digital video bitstream in a normal fashion until it reaches a video frame in the title that is identified by the user as having one or more interest points. The identification of the video frame having one or more interest points is made by identifiers stored (at the request of the user) in a file on the DVD. During playback, the DVD player rather than displaying the original video frame, the DVD player is directed to display a manipulated video frame that is also stored in the file on the DVD and not the original video. A viewer may then view the one or more

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interest points in the manipulated video frame. Sometime thereafter, the DVD player resumes playing the digital video title until a next video frame identified by the file is reached (if any).

In the other embodiment of Abecassis cited by the Examiner; that is, Fig. 15 and column 61 line 47 through column 62 line 18, Abecassis discloses an alternate method whereby "in instances where the target are not predefined, the target selection functions display a target pointer 1604 as before. As the user controls the target pointer, the application software processes the positioning data 1605 and repositions the target pointer on the display 1606... The processing of zoom data 1615 causes the automatic sizing of the window 1616 responsive to the increase in magnification or decrease in magnification request." Thus, in this embodiment, the points of interest are not predefined and the manipulation is performed in realtime as evidenced by the statement "The processing of zoom data 1615 causes the automatic sizing of the window 1616 responsive to the increase in magnification or decrease in magnification request." However, there is no disclosure in Abecassis that teaches or suggests that the manipulated video segments are permanently modified and stored for viewing the identical manipulated segments at a later time.

In stark contrast, claim 1 requires "generating a set of op-code instructions that are used to **permanently modify** video data corresponding to the one or more interest points in the associated video frame," and "**storing a file** on the digital video disc (DVD) **separate from original video data** stored on the DVD after manipulating the one or more interest points in the associated video frame, said file storing the video frame manipulated by the op-code instructions in response to the user." Thus, **at any later time**, the user may view the customized video presentation he or she has created in exactly the same way he or she created it, but while still retaining the original video frames in the DVD such that another viewer may view the original frames or create and store his or her own customized video presentation.

In view of the foregoing, it is respectfully submitted that Abecassis does not teach or suggest all of the elements recited in claim 1, and hence, claim 1 is not rendered obvious by Abecassis. Additionally, it is respectfully submitted that no combination of Abecassis with any of the other art of record teaches or suggests the combination of limitations recited in claim 1. Withdraw of the 35 USC 103(a) rejection is thus respectfully requested.

Independent claim 11 recites limitations similar in scope to those recited in claim 1, and is, therefore, respectfully submitted to be patentable over the art of record for at least the reasons discussed above for claim 1. Furthermore, claim 11 recites "an interest point chart for listing the

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one or more interest points associated with the modified video frame" and "an interest point setting area, said interest point setting area having a user interface for enabling a viewer to enter an x-coordinate and y-coordinate for each of the one or more interest points." Page 8 of the present Office Action acknowledges that Abecassis fails to specify these limitations; however, the Examiner asserts that Some teaches them. The Examiner further states that "It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Some et al into the teaching of Abecassis for viewer to modify the size and shape of the interest area in the frame easily."

It is respectfully submitted that there is no motivation to combine the Abecassis with Some and, furthermore, that any combination would still fail to teach the combination of limitations recited in claim 11.

Some describes an image forming apparatus for forming an image on a display based on image data which can surround an area in the image displayed on the display by a pattern and specify a region of interest in a desired manner with a memory having a small capacity (See Summary column 3 lines 34-39). Firstly, it should be noted that Some describes identifying a region of interest in an **image**, not within a **video** segment. The images Some describes are not images from a DVD or any other type of multimedia video source. Rather, Some describes identifying regions of interest in images obtained from taking measurements and illustrating these measurements in graphical form. Some lists examples such as autoradiographs, chemiluminescent images, density profiles of electron beam transmission images, or electron beam diffraction images. Thus, in view of at least these reasons it is respectfully submitted that one of ordinary skill in the art at the time of the invention would see no motivation to combine the two references.

Furthermore, the chart of FIG. 4 of Some relied upon by the Examiner to teach the interest point chart of claim 11 is merely a chart of graphic data 120-i in the form of coordinates used to define a desired geometrical shape (the pattern 130 in FIG. 6) on a display. It is not a chart used to list various interest points as required by claim 11. Moreover, at most Some discloses the identification of a single region of interest. In contrast, claim 11 requires an interest point setting area, said interest point setting area having a user interface for enabling a viewer to enter an x-coordinate and y-coordinate for **each** of the one or more interest points.

In view of the foregoing, it is respectfully submitted that claim 11 is clearly patentable over the art of record.

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All dependent claims depend directly or indirectly on independent claims 1 and 11, and are therefore respectfully submitted to be patentable over the art of record for at least the reasons presented above for the independent claims. Additionally, these dependent claims recited additional elements or limitations that when considered in the context of the present invention, further patentably distinguish the art of record.

New claims 24 and 25 have been added to recite particular implementations of the op-code instructions recited in claims 1 and 11, respectively. It is respectfully submitted that claims 24 and 25 are patentable over the art of record for at least the reasons described above for claims 1 and 11.

CONCLUSION

It is respectfully submitted that the present application is now in condition for allowance. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below. If any fees are due in connection with the filing of this Amendment, the Commissioner is authorized to deduct such fees from Deposit Account No. 500388 (Order No. GENSP029).

Respectfully submitted,

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